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To F. Choi
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Commissioner for Patents
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From Todd E. Garcia, Ph.D.

Re

CARBON MONOXIDE AS A BIOMARKER AND THERAPEUTIC AGENT

Applicant: Augustine M.K. Choi et al.

Application No.: 10/053,535

Filing Date: January 15, 2002

Country: United States

Our Ref.: 13681-003002

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Message **FOR DISCUSSION PURPOSES ONLY.**

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Attorney's Docket No.: 13681-003002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Augustine M. K. Choi et al. Art Unit : 1616
Serial No. : 10/053,535 Examiner : F. Choi
Filed : January 15, 2002
Title : CARBON MONOXIDE AS A BIOMARKER AND THERAPEUTIC AGENT

Commissioner for Patents
Washington, D.C. 20231

DRAFT AMENDMENT FOR DISCUSSION PURPOSES

These proposed amendments are responsive to the Office Action mailed July 30, 2002, and are being submitted for consideration by the Examiner prior to the December 5, 2002 in-person interview with Janis K. Fraser and Todd E. Garcia. The proposed amendments are being submitted for discussion purposes only. An appendix with all claims, amended as indicated in this paper, is attached.

VERSION WITH MARKINGS TO SHOW CHANGES MADEIn the claims:

Amend claim 69 as follows:

69. (Amended) A method of treating a patient to reduce hyperoxic lung injury [oxidative stress associated with hyperoxia], comprising:

identifying a patient suffering from or at risk for hyperoxic lung injury [oxidative stress associated with hyperoxia]; and

administering to the patient a composition comprising carbon monoxide in an amount effective to reduce hyperoxic lung injury [oxidative stress associated with hyperoxia].

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